

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

APR 30 2013

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEPUTY CLERK

JOSE VILLRREAL SALDIVAR, and
JEANNE SNYDELAAR VILLARREAL,

Plaintiffs,

V.

CIVIL ACTION NO. SA-12-CA-1018-FB

SUSAN D. REED, Criminal District
Attorney, in her Individual and Official
Capacity; DAWN McGRAW, Assistant
Criminal District Attorney, in her
Individual and Official Capacity;
SERGEANT MARCOS MARTINEZ,
a Peace Officer with the Office of the
Texas Attorney General, in his Individual
and Official Capacity; JENNIFER
SANCHEZ, DEA Special Agent, in her
Individual and Official Capacity; and
WALTER J. LINOSKE, DEA Financial
Investigator, in his Individual and Official
Capacity;

Defendants.

ORDER OF ADMINISTRATIVE CLOSURE

Before the Court is the status of the above-styled and numbered cause. Plaintiffs allege defendants violated their constitutional rights by instituting and prosecuting a state law civil forfeiture action based upon their race. The underlying civil forfeiture action, which plaintiffs removed, has been remanded to state court for lack of federal subject matter jurisdiction. State of Texas v. Four Million Two Hundred Twenty Six Thousand Thirty Five Dollars and Fifty Seven Cents, et al., Civil Action No. SA-12-CA-1038-FB. Because the state forfeiture proceedings may resolve the issues raised in this civil rights case, the Court is of the opinion this case should be administratively closed pending the outcome of those proceedings.

IT IS THEREFORE ORDERED that the above-styled and numbered cause is ADMINISTRATIVELY CLOSED pending either side's application for further relief upon the conclusion of the state forfeiture proceedings which form the underlying basis of this lawsuit.

IT IS FURTHER ORDERED that motions pending with the Court, if any, are Denied Without Prejudice to reurging after the conclusion of the state law proceedings, if necessary.

It is so ORDERED.

SIGNED this 30th day of April, 2013.



FRED BIERY
CHIEF UNITED STATES DISTRICT JUDGE